

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

Minute Entry

Hearing Information:

Debtor: JUDITH V BROWN
Case Number: 2:12-BK-11597-GBN **Chapter:** 11
Date / Time / Room: TUESDAY, JUNE 27, 2017 10:15 AM 6TH FLOOR #602
Bankruptcy Judge: GEORGE B. NIELSEN
Courtroom Clerk: ANNETTE FRANCHELLO
Reporter / ECR: ROSARIO VARGAS

Matter:

EXPEDITED HEARING ON DEBTOR'S MOTION TO STAY TRUSTEE'S SALE AND ENFORCE CONFIRMATION ORDER
R / M #: 377 / 0

Appearances:

TERESA HUGHES FOSTER, ATTORNEY FOR JUDITH V BROWN, JV BROWN REALTY INC.
LEONARD J. MCDONALD, ATTORNEY FOR JPMORGAN CHASE BANK, N.A., THE BANK OF NEW YORK MELLON FKA THE BANK

Proceedings:

The Court has reviewed all respective pleadings and notes that there is no agreement in regard to who owns the claim. The Court is unsure that there are grounds for an injunction.

Ms. Foster argues her position. She states that there is no authentication that the Bank of New York Mellon had the original note. She requests that the bank appear for an evidentiary hearing and show that they have evidence that they own the note and have authority to foreclose.

The Court does not have a basis for providing injunctive relief at this point.

Ms. Foster responds.

Mr. McDonald informs the Court that the trustee sale is June 29, 2017. He has nothing further to add to his papers.

COURT: FOR THE REASONS STATED ON THE RECORD, IT IS ORDERED DENYING THE MOTION WITHOUT PREJUDICE. THE COURT ADMINISTRATIVELY STAYS THE EFFECTIVENESS OF THE DENIAL FOR TEN CALENDAR DAYS FROM TODAY'S DATE. THE COURT DIRECTS MR. MCDONALD TO UPLOAD A PROPER FORM OF ORDER WITH A COURTESY COPY TO MS. FOSTER.